

022604

17364 U.S.PTO

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FRANZ

Docket: 09997.0087US01

Title: STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED RELEASE NON-STEROIDAL ANTI-INFLAMMATORY AGENT AND AN IMMEDIATE RELEASE PROSTAGLANDIN

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022604

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL 976595437 US

Date of Deposit: February 26, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: *Teresa Anderson*  
Name: Teresa Anderson

## Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- Utility Patent Application: Spec. 32 pgs; 15 claims; Abstract 1 pgs.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- A signed Combined Declaration and Power of Attorney
- Assignment for Recording, Recordation Form Cover Sheet, a check in the amount of \$40.00 to cover the Assignment Recording Fee
- A check in the amount of \$770.00 to cover the Filing Fee
- Information Disclosure Statement, 1 Reference, Form 1449
- Application Data Sheet, 3 pages.
- Other: Preliminary Amendment
- Return postcard

## CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
<b>Basic Filing Fee</b>				<b>\$770.00 00</b>
<b>Total Claims</b>				
15	-	20	= 0 x 18.00 =	\$0.00
<b>Independent Claims</b>				
1	-	3	= 0 x 86.00 =	\$0.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>				<b>\$0.00</b>
<b>TOTAL FILING FEE</b>				<b>\$770.00</b>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

By:

  
 Name: John J. Gresens  
 Reg. No.: 38,112  
 Initials: JJG/ame

23552

PATENT TRADEMARK OFFICE

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

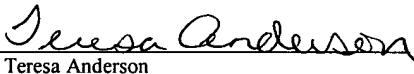
Applicant:	FRANZ	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Concurrent herewith	Docket No.:	09997.0087US01
Title:	STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED RELEASE NON-STEROIDAL ANTI-INFLAMMATORY AGENT AND AN IMMEDIATE RELEASE PROSTAGLANDIN		

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By:   
Name: Teresa Anderson

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each non-U.S. Patent document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

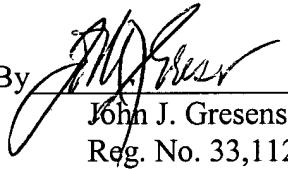
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: February 26, 2004

By   
John J. Gresens  
Reg. No. 33,112

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